

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GLENN DANZIG,

Plaintiff(s)

v.

GERALD CAIAFA, et al.,

Defendant(s)

CASE NO. CV-14-2540 RGK (RZx)

**STANDING ORDER REGARDING
NEWLY ASSIGNED CASES**

READ THIS ORDER CAREFULLY. IT CONTROLS THIS CASE.

This action has been assigned to the calendar of Judge R. Gary Klausner. The responsibility for the progress of litigation in the Federal Courts falls not only upon the attorneys in the action, but upon the Court as well. "To secure the just, speedy, and inexpensive determination of every action," Federal Rule of Civil Procedure 1, all counsel are hereby ordered to familiarize themselves with the Federal Rules of Civil Procedure, particularly Federal Rules of Civil Procedure 16, 26, the Local Rules of the Central District of California, this Court's Order for Jury Trial, and this Court's Order

1 for Court Trial.¹

2
3 **UNLESS OTHERWISE ORDERED BY THE COURT, THE**
4 **FOLLOWING RULES SHALL APPLY:**

5
6 **1. Service of the Complaint.** The Plaintiff(s) shall promptly serve the
7 Complaint in accordance with Fed. R. Civ. P. 4 and file the proofs of service pursuant
8 to Local Rule. Any Defendant(s) not timely served shall be dismissed from the action
9 without prejudice. Any “DOE” or fictitiously-named Defendant(s) who is not
10 identified and served within 120 days after the case is filed shall be dismissed pursuant
11 to Federal Rule of Civil Procedure 4(m).

12 **2. Removed Actions.** Any answers filed in state court must be refiled in this
13 Court as a supplement to the petition. Any pending motions must be re-noticed in
14 accordance with Local Rules. If an action is removed to this Court that contains a form
15 pleading, i.e., a pleading in which boxes are checked, the party or parties utilizing the
16 form pleading must file an appropriate pleading with this Court within thirty (30) days
17 of receipt of the Notice of Removal. The appropriate pleading referred to must comply
18 with the requirements of Federal Rules of Civil Procedure, Rules 7, 7.1, 8, 9, 10 and
19 11.

20 **3. Petitions under 18 U.S.C. Section 983(f).** Petitioner(s) shall file and serve
21 within 3 days of the date of this order an ex parte application requesting a hearing on
22 the Petition to ensure prompt resolution of the Petition in compliance with section
23

24 ¹Copies of the Local Rules are available on our website at “<http://www.cacd.uscourts.gov>” or they may be
25 purchased from one of the following:

26 Los Angeles Daily Journal
915 East 1st Street
Los Angeles, CA 90012

West Group
610 Opperman Drive
P.O. Box 64526
St. Paul, MN 55164-0526

Metropolitan News
210 South Spring Street
Los Angeles, CA 90012

1 983(f)'s deadlines.

2 **4. Presence of Lead Counsel.** The attorney attending any proceeding before
3 this Court, including all status and settlement conferences, must be the lead trial
4 counsel.

5 **5. Discovery.** All discovery matters have been referred to a United States
6 Magistrate Judge to hear all discovery disputes. (The Magistrate Judge's initials follow
7 the Judge's initials next to the case number.) All documents must include the words
8 "DISCOVERY MATTER" in the caption to ensure proper routing. Counsel are
9 directed to contact the Magistrate Judge's Courtroom Deputy Clerk to schedule matters
10 for hearing. Please do not deliver courtesy copies of these papers to this Court.

11 The decision of the Magistrate Judge shall be final, subject to modification by
12 the District court only where it has been shown that the Magistrate Judge's order is
13 clearly erroneous or contrary to law. Any party may file and serve a motion for review
14 and reconsideration before this Court. The moving party must file and serve the
15 motion within ten (10) days of service of a written ruling or within ten (10) days of an
16 oral ruling that the Magistrate Judge states will not be followed by a written ruling.
17 The motion must specify which portions of the text are clearly erroneous or contrary
18 to law, and the claim must be supported by points and authorities. Counsel shall
19 deliver a conformed copy of the moving papers and responses to the Magistrate Judge's
20 clerk at the time of filing.

21 **6. Motions.** Motions shall be filed and set for hearing in accordance with Local
22 Rule 6-1, except that this Court hears motions on Mondays commencing at 9:00 a.m.
23 If Monday is a national holiday, this Court will hear motions on the succeeding
24 Tuesday. If the date the motion was noticed for hearing is not available, the Court will
25 issue a minute order resetting the date. Any opposition or reply papers due on a
26 holiday are due the **preceding** Friday, not the following Tuesday. **Memoranda of**
27 **Points and Authorities in support of or in opposition to motions shall not exceed**

1 **20 pages. Replies shall not exceed 10 pages.** Only in rare instances and for good
 2 cause shown will the Court agree to extend these page limitations. Pursuant to Local
 3 Rule, either a proportionally spaced or monospaced face may be used. A
 4 proportionally spaced face must be 14-point or larger, or as the Court may otherwise
 5 order. A monospaced face may not contain more than 10½ characters per inch.

6 Without prior permission from the Court, no party may file more than one
 7 motion pursuant to Fed.R.Civ. P. 56 regardless of whether such motion is denominated
 8 as a motion for summary judgment or summary adjudication.

9 **7. Proposed Orders.** Each party filing or opposing a motion or seeking the
 10 determination of any matter shall serve and lodge a proposed order setting forth the
 11 relief or action sought and a brief statement of the rationale for the decision with
 12 appropriate citations.

13 **8. Telephonic Hearings.** The Court does not permit appearances or arguments
 14 by way of telephone conference calls.

15 **9. Ex Parte Applications.** The Court considers ex parte applications on the
 16 papers and does not usually set these matters for hearing. If a hearing is necessary, the
 17 parties will be notified. Ex parte applications are solely for extraordinary relief and
 18 should be used with discretion. Sanctions may be imposed for misuse of ex parte
 19 applications. See Mission Power Engineering Co. v. Continental Casualty Co., 883
 20 F.Supp. 488 (C.D. Cal. 1995).

21 Counsel's attention is directed to the Local Rules. The moving party shall serve
 22 the opposing party and shall notify the opposition that opposing papers must be filed
 23 not later than 3:00 p.m. on the first business day following service. If counsel does not
 24 intend to oppose an ex parte application, he or she must inform the Courtroom Deputy
 25 Clerk at (213) 894-2649.

26 **10. Continuances.** This Court has a strong interest in keeping scheduled dates
 27 certain. Changes in dates are disfavored. Trial dates set by the Court are firm and will
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1 rarely be changed. Therefore, a stipulation to continue the date of any matter before
2 this Court **must** be supported by a sufficient basis that demonstrates good cause why
3 the change in the date is essential. Without such compelling factual support,
4 stipulations continuing dates set by this Court will not be approved. Counsel
5 requesting a continuance must lodge a proposed stipulation and order including a
6 **detailed** declaration of the grounds for the requested continuance or extension of time.
7 **See** Local Rules. Failure to comply with the Local Rules and this Order will result in
8 rejection of the request without further notice to the parties. Proposed stipulations
9 extending scheduling dates do not become effective unless and until this Court so
10 orders. Counsel wishing to know whether a stipulation has been signed shall comply
11 with the applicable Local Rule.

12 **11. Communications with Chambers.** Counsel shall not attempt to contact
13 the Court or its staff by telephone or by any other ex parte means. Counsel may
14 contact the Courtroom Deputy Clerk with appropriate inquiries only. Counsel shall not
15 contact the Courtroom Deputy regarding status of ex parte application/ruling or
16 stipulation/ruling.

17 **12. Order Setting Scheduling Conference.** Pursuant to Federal Rule of Civil
18 Procedure 16(b), the Court will issue an Order setting a Scheduling Conference as
19 required by Federal Rule of Civil Procedure 26 and the Local Rules of this Court.
20 Strict compliance with Federal Rules of Civil Procedure 16 and 26 is required.

21 **13. Notice of this Order.** Counsel for plaintiff or plaintiff (if appearing on his
22 or her own behalf) shall immediately serve this Order on all parties, including any new
23 parties to the action. If this case came to the Court by a Petition for Removal, the
24 removing defendant(s) shall serve this Order on all other parties.

25 **14. Courtesy Copies:** Courtesy copies are not required with documents filed
26 traditionally over the intake counter. Courtesy copies are required for documents filed
27 electronically and shall be delivered to the judge's courtesy copy drop box located
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1 outside of the Clerk's Office, Room 181L, no later than the following business day.

2 **15. Applications to File Documents Under Seal:** For detailed instructions and
3 information on the pilot project regarding the submission of sealed documents, please
4 refer to the judge's procedures and schedules on the Court's website. All applications
5 must provide reasons(s) as to why the parties' interest to file the documents(s) under
6 seal outweighs the public's right to access. All applications must also indicate which
7 portions of the documents to be filed under seal are confidential. If a party submits an
8 application to file under seal pursuant to a protective order only (i.e., no other reason
9 is given), **the application will be denied** unless the Court receives within 48 hours
10 from the notice of filing a document providing (1) the reasons the document should be
11 filed under seal; and (2) the portions within the document that are confidential. This
12 document shall be entitled: "ADDENDUM TO APPLICATION TO FILE UNDER
13 SEAL PURSUANT TO PROTECTIVE ORDER".

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15 DATED: APRIL 8, 2014



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18 R. GARY KLAUSNER
United States District Judge